

The right of the British to the north of the Tiber in the south, and French, British and Belgian troops are fighting with the Germans.

Between last week from Hill No. 40 to the south of Tiber, and failing to retake it by a counter-attack, the Germans launched a sudden advance northeast of the town, and after capturing and killing men in the first trenches with deadly gases, according to British official reports, they drove a wedge of infantry forward, forcing the French and Belgians back, and at some points apparently across the Tiber Canal—a maneuver which at the same time compelled the British line north of Tiber.

## Much Lost Ground Retaken Is the Official French Report

PARIS, April 24 (Associated Press).—The French War Department today gave out the following official statement:

"Supplementary reports furnish further particulars of the way the Germans succeeded in forcing our lines back during Thursday evening to the north of Tiber, between the Yser Canal and the Boeschepe road. Thick yellow smoke emitted from the German trenches and driven by northern winds produced an effect of complete asphyxiation among our troops, which was felt even in our second line positions.

"Counter attacks made yesterday already have enabled us to regain part of the ground lost. Our situation has been completely consolidated and our action is being carried out under good conditions, with the support of the British and Belgian troops.

"The enemy made an attack at late charges and another at Louscheld.

to fall back to conform with the French.

Although the advance of the Germans was considerable, extending according to British despatches, over a front of two miles, French, Belgian and British forces—the French occupying the center, the Belgians the left, and the British the right of the line—immediately initiated a counter-attack, the result of which was to compel the Germans to give up possession of the ground they had taken, and force them to a northwesterly direction toward Langemark, from which place the attack started.

At this time the British are progressively strengthened and have consolidated their position on Hill No. 40. The hardest fighting, consequently, is expected north of Tiber.

in the Forest of Argonne, south of which were reported.

"A German attack to the south of the Forest of Argonne and further attacks on Heckebecker Kupp were stopped by our fire. The enemy suffered heavy losses.

"The asphyxiating bombs used by the Germans were filled with chlorine, which they threw from the trenches. The Germans threw these bombs when the wind was blowing from them in the direction of the French trenches. The fumes caused uncomfortable breathing and a smarting of the eyes, at a distance of nearly two miles behind the trenches, and they were so powerful that the Germans had to wait themselves a considerable time before they could occupy the evacuated trenches.

"During this delay the French troops, recovering from the effects of the fumes, delivered a counter-attack. The German supply of chlorine bombs apparently had been used up, and they gave away before the resolute bayonet attack of the French. The bombs are thrown by means of a hand sling, such as boys use for throwing stones.

Freighter From Leith, Two Norwegian Barks and Finnish Steamer Torpedoed.

## CREW OF EMDEN, ELUDING PURSUIT, BATTLES ON LAND

Go Ashore From Commandeered "Warship" and Defeat the Arabs.

BERLIN (by wireless to London), April 24 (Associated Press).—The crew of the German "warship" *Ayha*, composed of men who escaped when the cruiser *Emden* was sunk by an Australian warship in the Indian Ocean on Nov. 10, have escaped again from allied patrol ships. They arrived at the Arabian harbor of Lidd on March 27, having covered the 100 miles from Hodeida by sea.

After reaching the coast the sailors attempted to continue their journey overland, but were attacked by Arabs, supposedly at the instigation of the English. After three days' stubborn fighting the attacks were repulsed and they reached the road to Hodeida, where the railway was open. The adventurous Germans suffered heavy losses.

The exploits of this remnant of the *Emden's* crew have constituted one of the most dramatic episodes of the war. The men had landed on Coos Bay Island when the Australian cruiser *Sydney* sank the *Emden*.

Under the leadership of Lieut. von Mecklen, the landing party commandeered the schooner *Ayha* and sailed away. Since then there have been conflicting reports regarding their activities. Manila heard that they had captured a collier on which they had mounted two Maxim guns and had been making raids on French commerce. The French Ministry of Marine announced on Dec. 18 that the auxiliary cruiser *Empress* of Japan had captured the collier with the men on board.

A Berlin despatch on Feb. 5, however, said the *Ayha* had reached Hodeida, Arabia, where the crew was given an enthusiastic welcome by Turkish troops.

## SEVENTH REGIMENT MAN BACK FROM TRENCHES

Young Powle Saw Heavy Fighting as Member of the French Foreign Legion.

"My only regret is that I didn't get a single wound."

Aside from that one annoying feature, the experiences of F. Bartram Powle of Larchmont, N. Y., in the trenches with the French Foreign Legion, were eminently satisfactory.

Powle is only nineteen years old and is a member of Company M, Seventh Regiment, N. Y. N. G. He came in on the Red Star liner *Lapland* from Liverpool to-day after six months with the Foreign Legion and two months with the British aviation corps. His brother, Ellingwood, is still in Paris, attached to the American Ambulance Hospital.

"I saw the Germans make their famous charges at Craonne, France, on the Kaiser's birthday," said young Powle, "when their trenches were only five hundred yards from ours. We let them get within two hundred yards and then our machine guns swept them like a stream of water from a garden hose, wiping them out to the last man."

"Men were killed at my side; my tin cup was shot off my knapsack, and I could almost feel the bullets graze my face, but never a one of them could find me. It was tough luck."

Powle has returned to attend the Government military academy at West Point, to which he just received an appointment.

## SUBMARINES SINK 3 NORTH SEA BOATS, AND ONE IN BALTIC

Freighter From Leith, Two Norwegian Barks and Finnish Steamer Torpedoed.

LONDON, April 24.—The freighter *Ruth* was sunk by a German submarine on Wednesday when about 100 miles east of May Island, in the North Sea. The crew was rescued and was landed at Leith, Scotland.

The *Ruth* left Leith with a cargo of coal for Gothenburg. Capt. Andersen, her skipper, who is a Swede, reports that the first torpedo discharged by the submarine missed its mark. The second torpedo struck the *Ruth* amidships, wrecking the vessel.

The sixteen members of the crew were all Swedes. They drifted about in small boats for twelve hours before being picked up. The steamer *Helmsmark*, arriving in the Tyne today, reports having sighted the Norwegian bark *Oscar* in a sinking condition and the Norwegian bark *Ona* on fire in the North Sea. Both craft are believed to have been victims of the German submarines. The fate of their crews is a mystery.

STOCKHOLM, April 24.—The Finnish steamer *Frack* has been torpedoed and sunk in the Baltic by a German submarine. It is believed that the members of her crew were saved. The *Frack* carried a cargo of iron ore and was on her way to Abo, Finland.

## MITCHELL PLEASED CITY IS TO BE INVESTIGATED

Maybe the Inquiry May Do Us Good—Hopes for Relief From Constitutional Convention.

Mayor Mitchell to-day expressed the hope that the committee of six Senators and six Assemblymen, who are to visit this city for the purpose of making an investigation of its financial affairs, may be the cause of enacting legislation that will give fair play to Greater New York. He said:

"I will say that if the members of the committee are returned to the Legislature after having made an investigation of New York City's finances and methods, it will be of great use to them."

"However, I hope for relief for this city from a much more fundamental source than legislative meddling. I mean the Constitutional Convention."

## OREGON'S BROTHER, 70, IS EXECUTED BY VILLA

Francisco S. Elias, Consul for Mexico under the Carranza faction, received to-day a telegram from his friend Gen. Obregon, commanding the Carranza faction, saying that Francisco Villa, to avenge himself for the defeats inflicted upon his forces by Gen. Obregon, had made a prisoner of his brother, who is seventy years old, at Guadalupe, when he evacuated the city, and sent him as prisoner to Chihuahua.

"I sent a dispatch to Gen. Villa," said Gen. Obregon, "asking him to release my brother because he was a non-combatant, had sided with neither faction and was an enfeebled old man. The only reply was: 'Your brother has been shot.'"

# SENATE IN ALL-NIGHT SESSION JAMS THROUGH BILLS WITH NO REGARD TO CITY'S WISHES

Legislature, Which Has Devoted Three Months Out of Four to Ousting Democrats and Building Up G. O. P. Machine, Ends To-Day.

Total Appropriations Voted of \$64,288,977, an Increase of \$15,000,000 Over Last Year, Mainly for Use Up State.

Bill to Gerrymander the City Aldermanic Districts Gives Republicans Control of Reduced Board, Which Will Revise Assembly Districts.

Workman's Compensation Bill Amended to Limit Pension to Widows of Workmen Killed to 500 Weeks Instead of Life.

By Samuel M. Williams, Special Staff Correspondent of The Evening World.

ALBANY, April 24.—In alternating relays of Senate and Assembly, the State Legislature struggled through its closing hours to-day, after two days of almost continuous session. The Senate ran through the night until day was breaking, and then at 10 o'clock the Assembly took up the running. In an endeavor to finish before the week ends.

The last days of New York legislative sessions are nearly all alike—scrambling, pushing, pulling, trading, lobbying, scheming, to get bills through. Party caucuses apply the whip to pass some measures, private combinations slip others over, and luck attends a few more. It makes little difference which party is in power, the wind-up scenes and acts are the same for Republicans and Democrats, year after year.

In the all-night session of the Senate, some of the most important legislation of the year affecting New York City was put over the goal line with jamming centre rushes.

Among these measures were:

1. A committee of twelve legislators to investigate New York City finances during the coming summer.
2. Another committee to investigate general systems of taxation for the whole State.
3. A committee to investigate and revise labor laws.
4. The State Insurance Commissioner directed to investigate and report on standardizing all fire and casualty insurance policies.
5. New York City Board of Aldermen reorganized and the city district all changed so as to make that body Republican.
6. Appropriation bills passed calling for \$64,288,977, the top notch of State expenditures, being \$15,000,000 more than last year.
7. A direct State tax of one and seven-tenths mills levied on all property in addition to local taxes. This will raise \$19,500,000, three-quarters of which will be put up by New York City.

normal increase, and concealed from the State the necessity for a canal referendum in the hope of winning in 1916. The plan failed and the appropriations thus refused must be added to the appropriations of 1915.

BROWN TELLS OF "BURDEN SHIFTER" LAST YEAR.

Senator Brown listed the various items which he asserted were thus refused and totaled them to \$3,340,000. To this he added more burdens alleged to have been shifted from the Democratic to the Republican Legislature.

"This Legislature," he said, "has been forced to make an appropriation, to pay contractors on the barge canal for work done during this year, of \$3,440,000."

"It has had to pass a construction bill to meet requirements for the State's charitable system, which was absolutely neglected last year, \$4,000,000, one-half of which should have been charged to last year."

"The State treasury requires a working balance of from \$3,000,000 to \$5,000,000, which was exhausted by the Glynn administration and reduced to a deficiency."

A tabulated analysis of the \$63,000,000 appropriations shows the following:

Total expenses.....	\$63,000,000
Highways.....	\$9,000,000
Construction.....	\$2,000,000
Special appropriations.....	\$2,000,000
Sinking fund.....	\$9,000,000
Deficiency Supply bill.....	\$5,000,000
Canals contracts.....	\$64,000
Census and Constitutional Convention.....	\$65,000

Against the levying of a direct tax which would fall so heavily on New York City, Democratic Senators from the metropolis made vain protests. Senator Wagner said:

"I am in favor of raising public sentiment to compel the Governor to veto this unjust and heavy burden on the city. I think there should be meetings of taxpayers called in every district, and movement started to protect our interests. Let us adopt the slogan of 'New York City first.' In such a movement there can be no partisanship. The Democrats will stand alongside Fusionists, Republicans, and men of every race to put an end to this burdening of New York City with State extravagance."

As a sop to the metropolis there was rushed through the Senate in the early hours of this morning a bill providing for an extraordinary investigation of New York City financial conditions, "to determine what, if any, legislation should be enacted to afford relief in relation to taxation."

Senator Brown, the Republican chief, is expected to take the chairmanship of this committee. The resolution, which carries an appropriation of \$25,000, says in part:

"Resolved, That a joint legislative committee consisting of six Senators and six Assemblymen be appointed to investigate and determine what legislation, if any, should be enacted to afford relief to the City of New York in relation to taxation for local and State purposes, and what legislation consistent with public opinion in the City of New York and the public interest should be enacted to increase the control of the city authorities over expenditures now fixed by law; to inquire to what extent, if any, local conditions are such as to require legislative action; and to prepare the needed legislation to carry its recommendations into effect."

The committee is to report back to the Legislature next February. Reorganization of the Board of Aldermen was passed by the Senate at 2 o'clock this morning, after exciting personal opposition by the Democrats. It gerrymanders the city, changing every district, reducing the number

of Aldermen from 73 to 61. Originally this plan was proposed by the Citizens' Union along non-partisan lines, but the local Republican bosses took it in hand and changed boundaries to fit their party needs. County Chairman Koenig of New York established headquarters for the night in the Lieutenant Governor's room, long the haunt of favored lobbyists, and kept watch until the bill was safely put over.

Knockout blows for labor in night session. Labor had some body blows dealt to it in the rushing grind of the Republican machine during the all-night session. In addition to combining the Workmen's Compensation Commission with the State Labor Department, to be known as the Industrial Commission, another crack was taken at the compensation law itself. It was amended so that widows of men killed at work shall not have life pensions, but their compensation is limited to 500 weeks.

Democratic Senators protested strenuously but vainly. "This is another act for benefit of the casualty companies," said Senator Wagner. "It is a cruel and brutal piece of legislation."

"These are the same old jokers that tried to put in the compensation bill when originally drafted."

Another knock at labor, passed by strict party vote, was a bill permitting salt refineries to work their men seven days a week, exempting them from the general law requiring one day's rest in seven.

The bill requiring Bible reading in schools, over which there has been much religious agitation, was finally killed in the Senate, and Senator Greiner, its author, went in sorrow. All the bills opening the way for attorneys to get fees for noted State cases were passed except the one compensating Sule's unpaid Junior counsel, Bacon, Frankenstein, Thomas, Chadsey and Henschel.

The bills were enabling acts giving W. T. Jerome in the Thaw case, and counsel in old State cases against Warren Hooker, John Voorhes, Dr. Doty and Daniel F. Cohalan the right to take their claims before the State Court of Claims.

The Senate adjourned at 4 o'clock A. M. to meet again at 11 o'clock this morning, when in company with the Assembly the big appropriation bills were to be put through as the final wind-up.

MOST OF THE SESSION GIVEN TO GRABBING JOBS.

For nearly four months this Legislature has been in session. Three months of that time were devoted to schemes for throwing Democrats out of office and getting the Government into control of the Republicans after their four years of waiting outside.

At first a pretense of reform attended these changes, the ripper bills being classed as "reorganizations of departments." But as that kind of machinery moved too slowly, the disguise was thrown off and the Democrats were thrown out openly.

Among the departments "reorganized" are Court of Claims, Civil Service Commission, State Tax Board, State Fair Commission, Conservation Commission, State Housing Commission, while the Fire Marshal and Department of Efficiency and Economy were completely wiped out.

But with all these changes, the department over which greatest fuss was made, even to a special investigation, remains as it was. Because of political considerations, the State Department, the Public Service Commission, both up-State and city, continue in office, excepting the two members whose terms expired.

McCall still remains Chairman of the New York City commission despite constant criticism by legislative investigators, and hearing before the Governor.

The record as to legislation asked by the City of New York is full of defeated bills, showing the scant consideration given by the up-State Republican machine to the metropolis. Gov. Whitman voted the Garbage

## Brooklyn Woman Slain in Home; Servant Sought as Her Strangler



MRS. JULIA HEILNER

Incineration Bill and the City Market Bill was pocketed in committee; reorganization of the city Board of Education along lines drafted by the State Board of Regents to make it a more practical working body failed. The municipal railway plan, planned by Mayor Mitchell's Administration, was passed, but still awaits the Governor's signature.

Of city bills passed, the one most commended is that wiping out at last the Coroner's, but even that will not take effect for two years, when the incumbents have served out their terms. A city Department of Purchases has been created, but not in the form asked by the Mayor, who may veto the bill. Rockaway is allowed to secede from Greater New York.

The only measure of social reform enacted by the Legislature was the "Mother's Pension" Bill, which was passed by a vote of 51 to 41. It provides for the payment of a pension to the mother of a child in the State who is unable to support the child, and who is a widow or whose husband is unable to support the child.

The session started with a united and overwhelming Republican majority. It ends in bickering, personal jealousies and more attention given to looking for political advantages among the up-State members than to consideration of legislation for public benefit.

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## BREITUNG ADMITS HE TRIED TO BEAT SON-IN-LAW KLEIST NEW RAID IN LAST HOUR OF SESSION

He Testifies Mrs. Breitung May Try to Rush 72-Hour Restrained Him From Attacking Julie's Husband.

Albany, April 24.—As the hour for final adjournment of the Legislature approached, indications are cropping out that an attempt will be made to get over, in the excitement of the wind-up session, bills which have been pending for some time.

Senator Thompson is sure about the failure of the canneries legislation. He has announced that if it is not passed he will introduce tonight a bill to oust the Democrats on the Public Service Commission and replace them with Republicans.

The Spring bill putting the regulation of train crews in the hands of the Public Service Commission is another scheduled for resurrection. The clock in the Assembly and Senate chambers were stopped at 11:50 o'clock to-day. The official hour of adjournment is noon to-day, but it may be midnight or later before the work is cleaned up.

All of this morning and much of this afternoon was taken up with conferences at which plans to facilitate legislation were discussed. The Assembly did not meet until mid-afternoon. The members were accelerated by the Catholic Protective Fund.

A bill soon as the Senate met the Liquor Tax Bill increasing the saloon license fee was passed by a vote of 51 to 16. Then the General Appropriations Bill carrying \$33,500,000 was passed by a vote of 51 to 17. Both bills were sent at once to the Assembly. It was known that the Assembly would not concur in the general appropriations measure and a conference of leaders was called.

"I told her if she loved him she ought to live with him, but she refused," said Breitung.

"Did she ask him to give her her letters back?"

"Yes; and he said he had them in a vault somewhere."

"Did she say anything about changing her mind; that in one of his letters he called her a liar and said he would use her letters as evidence?"

"Oh, yes; she said she was greatly disappointed in him. I saw the letter he wrote."

"One of your maids testified you told your daughter you would have Kleist arrested for failing to support her. Did you make such a threat?"

"No; I never did."

"Q. You hired detectives to watch Kleist? A. Yes, I wanted to find out all I could about him."

Attorney Nicoll, representing the Breitungs, told the court the defense was willing to allow physicians to examine Mrs. Kleist other than those who yesterday testified she was a wife in name only. Judge Hough took this matter under consideration.

To further questioning Breitung replied his daughter asked him if he couldn't have the marriage annulled.

"I told her it couldn't be done," Breitung continued. "She said she was rather ashamed of the secret way they were married and would rather have more ceremony about it. She said if I didn't get the marriage annulled she'd do it herself."

Q. Didn't you try to strike the boy at one time? A. Yes; I did, because he said my daughter was a dirty girl. I'm sorry now I didn't strike him."

Q. Why didn't you? A. My wife interfered and held me back from him."

Q. You wanted to strike him? A. Yes; I did."

Q. Knock him down and kick him? A. Yes."

Breitung said this quite calmly. Q. And at the same interview you offered him a position in New Mexico? A. Yes."

Q. How long did it take you to get over your anger? A. A few minutes."

Q. And were you angry with him for a long time? A. Yes; I thought of getting him work in the lumber business in Michigan, but at our first interview he said something about Mrs. Breitung's family, and in the second interview he said something about my family that I didn't like."

Q. Did you dislike the boy? A. No. I wanted to try him out and see if he would grow good—if he had any yellow in him."

Q. What did you have against him later? A. The way he abused my daughter and me, and said I was assuming his daughter's affections from him."

Mr. Crowley read in evidence a letter Breitung helped his daughter write to her husband, in which she said she did not love him.

In contrast with this, Mr. Crowley read part of another letter, written by Julie on the same day—but without the help or even the knowledge of her father. The letter began: "Dearest Max: I am writing you this letter because I love you."

"Didn't you send the boy away to get him out of the city?" Attorney Crowley asked.

"I did not," replied Breitung. "He wanted a job and I had none in the city to offer him."

The Judge Hough said to Mr. Crowley: "You speak of the plaintiff as a 'boy.' He is not a boy. He is a man in years and experienced in certain lines of work. You seem to assume this defendant owes some obligation to this man who married his daughter. As a matter of fact, this defendant was not bound or obligated to give this man a job at all."

Scott W. Shaw, a lawyer, testified Kleist told him he and Julie had never lived together as man and wife.

"Without any relevancy," said Mr. Shaw, "Kleist said to me: 'Do you think in Mexico an accident might happen to me or I might be killed? I said: 'What in the world do you mean by that?' You'll be safer in New Mexico among friends than in New York, where a gunman might kill you.'"

Court was adjourned until half past ten o'clock Monday morning.

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